## PROHIBITION OF STORAGE OF CHEMICALS IN ANTOP HILL IN BOMBAY

## MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

## NOTIFICATION

New Delhi, the 9th February, 1990

Notification under section 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5(3) (a) of the Environment (Protection) Rules, 1986 prohibiting storage of chemicals in Antop Hill in Bombay.

S.O. 136 (E) Whereas a notification under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules) inviting objections against the imposition of prohibition on storage of chemicals in Antop Hill in Bombay was published vide S.O. 852(E), dated the 7<sup>th</sup> September, 1988;

And whereas an order under clause (a) of sub-rule (3) of rule 5 of the said rules could not be issued within 120 days of the notification under clause (a) of sub-rule (3) of rule 5 of the said rules because of the matter being sub judice under Writ Petition 12179/85, namely, M.C. Mehta vs. Union of India and others in Supreme Court of India and Writ Petition 3381 of 1987 in the Bombay High Court;

And whereas the Honourable Supreme Court in its order dated 05.12.1989 directed the Government of India in the Ministry of Environment and Forests to consider objection received in response to the Notification No. S.O. 852(E) dated the 7th September, 1988 and take decision without having any objection in respect of the fact that the matter is pending in that Court;

And whereas 138 objections were received which included 133 against and 5 for the prohibition;

And whereas 5 representations received in support of prohibition included suggestions by M/s Mount Steward Tea Estate, Bombay to develop Antop Hill Warehousing area into a semi wholesale Kirana Market and not for storage of hazardous chemicals. The Save Bombay Committee cities inappropriates of the complex in densely populated area and warned against the consequences of hazards in case of explosion or accident. The Institution of Industrial Managers India, the members of the Cooperative Housing Society Ltd. of the Bank of India and the Bombay Environmental Action Group have expressed the same views. However, the Save Bombay Committee have no objection to the storing of non-hazardous chemicals;

And whereas of the 133 representations against the prohibition the institutional ones are from:

- (i) / Secretary, Department of Environment, Government of Maharashtra.
  - (ii) Antop Hill Warehousing Company Ltd., through its solicitors (AHWC),
  - (iii) The Municipal Corporation of Greater Bombay,
  - (iv) The Indian Chemicals Manufacturers Association,
  - (v) The Indian Merchants Chamber, and
  - (vi) The Chemical and Alkali Merchant Association.

The rest of the representation against the prohibition were by individual traders who have booked offices or godown space in the warehouse complex. representations from the traders are similar in nature and cite financial loss and need for storage spaces as the basis for opposing the notification. The main thrust of the view of the Government of Maharashtra and the Municipal Corporation of the Greater Bombay is that no environment pollution is likely by the storing of non-hazardous chemicals at Antop Hill Warehousing Company Limited (AHWC) complex. Such chemicals do not generate noxious gases or liquids in any manner injurious to environment. It is also emphasized the instrumentation conditions have been envisaged for storage of chemicals and the license granted by the Municipal Corporation of Greater Bombay to the AHWC will be conditional with safeguards for safety. The AHWC gave the genesis of the Warehousing Complex at the Antop Hills and highlighted the various construction features like the electrical fittings, fire protection features etc. The government of Maharashtra was anxious to remove the storage of chemicals from the congested residential and commercial areas of the Bombay city measures primarily to shift the chemical storage from Greater Bombay which are highly congested and selected after detailed studies conducted by the Government of Maharashtra and the Municipal Corporation of Greater Bombay. The usual land reclamation investment had been undertaken by the Government of Maharashtra and the Municipal Corporation of the Greater Bombay during 1975-79. The AHWC then obtained the approval of the Chief Fire Officer of the Municipal Corporation of the Greater Bombay, Chief Controller of Explosives, Government of India, Nagpur and other concerned authorities/ departments. The AHWC claims that they have given the complete list of safety measures incorporated in planning based on the stipulation imposed by the Chief Fire Officer and the Chief Controller of Explosives, Government of India in Write Petition No. 12179/85, namely, M.C. Mehta Versus Union of India and others in the Supreme Court of India. The AHWC also confested further that the storage is only for chemicals in their original packed condition and not meant for any bulk storage or repacking or storing of any gases/carcinogenic substances or explosives and that the total quantity of chemicals to be stored in the complex at any one time is not more than 5000 metric tones. Another main objection of AHWC was that the notification could not be issued since the matter was subjudice in another Writ Petition No. 3381 of 1987 pending in Bombay High Court. The Indian Chemical Manufacturers Association, the Indian Merchants Chamber and the Chemical and Alkali Merchant Association presented the same arguments.

And whereas it is difficult to conceive how the AHWC could ensure that only authorized chemicals would be stored in the individual godowns. It is also not clear how the traders storing different types of chemicals needs segregation would manage to store all these chemicals in the godowns allotted to them. In the pattern of trade in general and the chemical trade in particular the inherent nature of a trader is to keep his business information to himself. Considering that each business space for storage/office will be under the individual control of each trader and no single body could take full responsibility for safe storage of chemicals by over a thousand individual firms dealing in different quantities of chemicals at different rates of turn over, different different suppliers and widely varying terms of trade and methods of business, the AHWC or any other body will find it impossible to exercise complete control over the storage of chemicals belonging to a large number of individual trades in the same complex. There is no safety system to control flammability, toxicity, corrosivity, reactivity, instability and oxidizing nature of several of the hazardous chemicals. Public interest demands that under no circumstances should hazardous chemicals be allowed to be stored at the site in question;

And whereas the Government of Maharashtra appointed a committee headed by Dr. R.K. Garg to look into the pros and cons of the use of Antop Hill Warehousing complex for the purpose of storage of hazardous and non-hazardous chemicals. The Committee has gone into all the detail and visited the site to conduct site inspection at length. The Committee has concluded, among other things, that storage of hazardous chemicals at this site would make this storage a major hazard installation. The committee suggested shifting of the storage of hazardous chemicals to a different site. The same Committee later prepared a list of chemicals which could be stored in the proposed warehousing complex along with the quantities that could be stored. The 55 chemical listed by the Garg Committee in the context along with permissible quantity for storage are listed as per Annexure;

And whereas now all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-rule (3) of rule 5 of the said rules, the Central Government hereby imposes prohibition and restrictions that no hazardous chemicals as defined in clause (c) or rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, not being a chemical in the quantity mentioned in Annexure shall be stored in Antop Hill Warehousing Complex and that the storage of approved chemical should be regulated in accordance with the recommendations of the Garg Committee.

ce with the recommendations of the Garg	Lacing noid	225
51 62	Lactosc	27.
2/4/2	Lithippene	.85
21201	Magnesium chlori	29,

ANNEXURE

Chemicals, with quantity that can be stored at the Warehousing Complex, Wadala

alum b	Activated bleaching earth	2 te 11 2 te	
2.	Aluminium sulphate	50 te	
3. 558	Anhydride butile	25 te ul nocius	
4.	Aspirin powder	10 te	
5.511	Barium Sulphate	15 te 150	
6,	Basic chrome sulphate	2 te	
17,100	Bitumen sahari lamantan sa aster as	10 te	
8.	Borax dust indicate control and all	100 te	
19.500		5 te 100113 n/l	
10.	Calcium chloride	100 te	
i prilin	Calcium fluoride	3 terriro but	
12.	Calcium oxide	75 te (1. 1.2.75	
13.	Calcium sulphate	75 te 251 50110	
14.	China Clay	harman 25 team facilis	
15.	Citirie acid	100 te	
16.	Copper-sulphate	e angla 26 tegos gaisus	
17.	Cream of tartar	i politimento 5 te no oriz vi	
18.	Dipotasium phosphate	1 te	
19.	Disodium phosphate	The second 2 te day DRA	
20.	Fatty alcohols	5 te	
21.	Ferric chloride	di salid hier an lo 2	
22.	Glass wool of temper as alcommic	another of 2 te last and	
23.	Glauber salt	supplier of the state of the st	
24.	bi Glucose liquid wongs in signots arb	ha baar x 25(te) gaizu	
25.	Hillo suspension	50 te	
26.	Lactic acid	20 te	
27.	Lactose	250 te	
28.	Lithopone	105 te	
29.	Magnesium chloride	10 te	

30.	Magnesium oxide	2 te
31.	Manitol	5 te
32.	Mono sodium glutamate	3 te
33.	Oleic acid	2 te
34.	Potash alum	80 te
35.	Potassium bicarbonate	25 te
36.	Potassium chloride	45 te
37.	Pectin	10 te
38.	Polysorbate	5 te
39:8	Salycylic acid	100 te 200 te
40.	Sodium acetate	on of one 55 telephon
41.	Sodium alginate landura and monthly	no office 25 te la light
42.	Sodium bicarbonate	150 te
43.	Sodium Carbonte	150 te
44.	Sodium chloride	75.te
45.	Sarbitol	100 te
46.	Stearic acid	10 te
47.	Talcum Powder	50 te
48.	Tamarind seed	in and 50 ter to the
49.	Tannin extract	10 te
50.	Tartaric acid and slight the lift and the	50 te
51.	Titanium dioxide	25 te
11152.	Tapioca ha la naubia lega existente	u spitte i 25 të
53	Trisodium Phosphate	50 te
54	Wax The Injuryou ubsould Energy	intileubili 35 te
55	Zinc Oxide	anauthi a 50 te ann u

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